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TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

In re Application of)
INOUE)
Application No. 09/768,556)
Filed: January 25, 2001)
For: SEMICONDUCTOR DEVICE)
DECISION ON PETITION

This is a decision on the petition filed on February 15, 2002, to reset the period for reply to an Office action due to late receipt of the action.

The petition is granted.

Petitioner states the date of receipt of the Office action dated December 28, 2001, at the correspondence address of record was January 29, 2002. The petition includes a copy of the cover sheet of the Office action having a date of receipt of "JAN 29 2002" stamped thereon.

Petitions to reset the period for reply to an Office action due to late receipt of the action are treated in MPEP § 710.06. As set forth in MPEP § 710.06, a petition to restart the previously set period for reply should be filed within two weeks of the date of receipt of the Office action at the correspondence address. In view of the fact that the Office action was mailed between October 13, 2001 and January 2, 2002, when delivery of mail from the Office to certain regions of the country was delayed, this requirement will be waived. Petitioner is advised that any future petition to reset the period for reply to an Office action may not receive favorable consideration unless filed within two weeks of the date of receipt.

Accordingly, the shortened statutory period that was originally set forth in the Office action originally mailed on December 28, 2001 is hereby reset to run FROM THE RECEIPT DATE OF January 29, 2002.

for Edward E. Glick
Edward Glick, Special Program Examiner

Technology Center 2800 - Semiconductors, Electrical
and Optical Systems and Components